

Decision of the European Ombudsman on complaint 833/2000/BB against the European Commission

Decision

Case 833/2000/BB - Opened on 13/07/2000 - Decision on 05/06/2001

Strasbourg, 5 June 2001

Dear Mr B.,

On 6 June 2000, you made a complaint to the European Ombudsman against the European Commission concerning the Joint Research Centre of the European Commission in Ispra, Italy.

On 13 July 2000, I forwarded the complaint to the President of the European Commission. The Commission sent its opinion on 7 November 2000. I forwarded it to you with an invitation to make observations, which you sent on 23 November 2000. On 22 March 2001, the Commission sent a complementary opinion without a request from the Ombudsman. I forwarded it to you with an invitation to make complementary observations, which you sent on 5 May 2001.

I am writing now to let you know the results of the inquiries that have been made.

THE COMPLAINT

The Joint Research Centre (hereinafter referred to as « JRC ») of the European Commission in Ispra conditionally accepted the complainant for a scientific and technical grant. The JRC requested some documents and medical tests from the complainant. Furthermore, the JRC asked the complainant if the arrival date set suited him and what his plans were in respect of accommodation. During four months, the complainant made preparations in order to move to Ispra. The complainant was then informed without any official explanation, that the JRC was not able to award him a grant.

In his complaint, the complainant claimed that:

- the JRC did not notify him of the reasons for not awarding him a scientific grant;
- at the JRC's request, the complainant submitted the results of a medical examination, which he had paid for himself without obtaining any refund from the JRC;
- he incurred unnecessary removal expenses.



THE INQUIRY

The Commission's opinion

On 3 February 2000, the complainant applied for a research training grant from the JRC. By letter dated 7 March 2000, the complainant was informed that his application had been conditionally accepted. On 14 June 2000, the complainant was informed that the JRC was not able to award him a grant.

The Commission stated that the complainant was notified of the decision by letter of 14 June 2000. As regards the failure to reimburse expenses incurred for the required medical examinations, the fees charged for the medical examinations are refunded only on presentation of the receipts. The complainant submitted his receipts only on 5 June 2000. The JRC's accounts department made the payment after verifying the documents submitted. The payment order is dated 19 June 2000.

As to the unnecessary removal costs, the Commission stated that it could not be held responsible for decisions of applicants for grants to move before they have signed the relevant contract.

The complainant's observations

The complainant maintained his complaint.

The Commission's complementary opinion

The Commission sent a complementary opinion without a request from the Ombudsman. The Commission stated that following a further in-depth examination of this file, the Commission had come to the conclusion that the way in which the complainant's application for a grant was handled was not satisfactory.

At the beginning of 2001, appropriations facilitating the award of research training grants were unblocked within the JRC. As a result, at the beginning of February 2001, one of the units at the JRC's Space Applications Institute (hereinafter referred to as « SAI »), suggested a grant contract to the complainant which is due to be signed on 1 May 2001.

The Commission regretted the trouble to which the complainant had been put, and was pleased that a solution had finally been found.

The complainant's complementary observations

The complainant informed the Ombudsman that he is completely satisfied with the results of the inquiry. According to him, the contract was signed on 2 May 2001.

The complainant expressed his sincere thanks to the Ombudsman.

THE DECISION

1 Decision not to award a scientific grant

1.1 The complainant claimed that the JRC did not notify him of the reasons for not awarding him a scientific grant. Furthermore, the complainant claimed that he had not been reimbursed for his medical expenses and that he had incurred unnecessary removal expenses.



1.2 The Commission stated in its first opinion that the complainant received a notification on 14 June 2000 and that his medical expenses were refunded on 19 June 2000 after he had submitted his receipts to the JRC. Furthermore, the Commission underlined that it cannot be held responsible for decisions of applicants for grants to move before they have signed the relevant contract.

1.3 The Commission in its complementary opinion regretted the trouble to which the complainant had been put. The Commission informed the Ombudsman that the complainant had been offered a scientific grant and that the contract was due to be signed on 1 May 2001.

1.4 In his complementary observations, the complainant informed the Ombudsman that he is completely satisfied with the results of the inquiry. According to him, the contract was signed on 2 May 2001. The complainant expressed his sincere thanks to the Ombudsman.

2 Conclusion

It appears from the Commission's comments and the complainant's observations that the European Commission has taken steps to settle the matter and has thereby satisfied the complainant. The Ombudsman therefore closes the case.

The President of the European Commission will also be informed of this decision.

Yours sincerely,

Jacob SÖDERMAN